

Amendment No. 1 to SB0221

Crowe
Signature of Sponsor

AMEND Senate Bill No. 221

House Bill No. 273*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 63-6-101, is amended by adding the following as a new subsection:

(c)

(1) The division of health related boards shall consult the board in the hiring of the medical consultant. Individual board members designated and authorized by the board, or another licensed physician designated and authorized by the board, are each vested with authority as consultants to the board to do the following acts:

(A) Review and make recommendations to the board on applications for licensure, certification, exemption, renewal, reinstatement, and reactivation, subject to the rules governing such applications;

(B) In consultation with the office of general counsel, determine what, if any, investigation should be instituted upon complaints received by the division;

(C) In consultation with the office of general counsel and in accordance with board guidelines, decide whether a licensee who is the subject of a complaint or investigation is an appropriate candidate for diversion to a professional peer review organization or impaired professional association;

(D) In consultation with the office of general counsel, determine what, if any, complaints or investigations should be referred to the office of general counsel to pursue formal disciplinary action;

(E) In consultation with the office of general counsel, determine what, if any, terms of proposed settlement may be offered in any matter referred to the office of general counsel to pursue formal disciplinary action. No proposed settlement is binding upon any party unless and until it is accepted by a majority vote of the entire board or a duly constituted panel of the board; and

(F) In consultation with the office of general counsel, determine the terms upon which the division can agree to tentatively settle a pending disciplinary action. A tentative settlement is not binding upon any party unless and until it is accepted by a majority of the entire board or a duly constituted panel of the board.

(2) The board may withdraw its designation and authorization for a consultant to perform all or part of the acts listed in subdivision (c)(1).

(3) The department shall provide biannual surveys to the board for board feedback and review of the consultant described in this subsection (c).

(4) The board may promulgate rules to govern the manner in which the board reviews the work of consultants.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.